

Remarks

In view of the following amendments and remarks, favorable reconsideration of the outstanding office action is respectfully requested. Claims 30 – 64, 66, and 67 remain in this application. Claim 65 has been canceled.

**1. Allowed Claims/Subject Matter**

Applicant notes with appreciation that the Examiner has indicated the subject matter of claims 31 – 34, 38 – 50, and 67 is patentable, and would be allowable if rewritten in independent form.

**2. § 101 Rejection**

The Examiner has rejected claim 65 under 35 U.S.C. § 101 for Double Patenting, as claiming the same invention as that of claim 29 of prior U.S. Patent No. 6,674,289 B2. In response, the Applicant has canceled claim 65.

**3. Non-statutory Double Patenting**

The Examiner has rejected claims 30, 35 – 38, 51 – 53, and 66 under the judicially created doctrine of obviousness-type double patenting. Applicant notes that U.S. Patent No. 6,674,289 B2 and the present application are commonly owned by Pass & Seymour, Inc. A terminal disclaimer, in compliance with 37 C.F.R. 1.321(c), is attached hereto to overcome the non-statutory double patenting rejection. Accordingly, Applicant respectfully requests that the obviousness-type double patenting rejection be withdrawn.

**4. Conclusion**

Based upon the amendments, remarks, and papers of record, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests reconsideration of the pending claims 1 – 64, 66, and 67 and a prompt Notice of Allowance thereon.

Applicant believes that no extension of time is necessary to make this Response timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Response timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 50-1546.

Please direct any questions or comments to Daniel P. Malley at (607) 330-4010.

Respectfully submitted,

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